

SELL AMERICAN NATURAL GAS TO UKRAINE

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, the Napoleon of Siberia, Putin, controls Ukraine and other European countries by holding their energy needs hostage. Russia uses gas as a political and economic weapon to manipulate its neighbors.

This does not have to be, and the United States can change that.

By selling European countries our oil and gas, we can reduce their dependence on imperialist Russia. We have more gas than we can use here in the United States, and we could sell the gas we don't need to our allies in Europe. That would create jobs here in America and help our allies overseas.

The same goes for crude oil.

Mr. Speaker, my amendment that passed the House Foreign Affairs Committee today would require the State Department to submit a report to Congress within 90 days on the effect our increased natural gas and crude oil exports would have on Russia's economic and political influence over Ukraine and other European nations.

Ukraine has to get their oil and gas from someplace. Let's have them buy American and make the Russian bear Putin and his energy irrelevant.

And that's just the way it is.

NATIONAL AGRICULTURE DAY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, as a member of the House Agriculture Committee, I rise in support of the goals of National Agriculture Day, which is today, March 25.

Agriculture remains the number one industry in the Commonwealth of Pennsylvania, supporting upwards of 63,000 family farms, generating more than \$67 billion in economic impact, and one in seven residents of Pennsylvania works in the agriculture sector.

While a good portion of America's population does not see firsthand where our food supply comes from, a wise man once told me that we shake hands with a farmer at least three times a day. This saying truly illustrates the importance of supporting agriculture, but equally the importance of supporting the future of agriculture and our future food security.

I had the pleasure of meeting with two officers of the Pennsylvania chapter of the Future Farmers of America earlier this morning. I commend them for their outreach efforts here in Washington to promote the goals of National Agriculture Day. Their advocacy in engaging the next generation to become farmers is crucial to ensuring our country has the most affordable, the highest quality, abundant, and safest food supply in the world.

CELEBRATING THE 100TH ANNIVERSARY OF NORMAN BORLAUG'S BIRTH

(Mrs. BACHMANN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BACHMANN. Mr. Speaker, I rise today in celebration of National Agriculture Day. But also, today marks the 100th anniversary of the birth of a man who literally changed the world. His name is Norman Borlaug. He was born in an upstairs bedroom in northeast Iowa 100 years ago today. He went to the University of Minnesota, where he received a Ph.D. degree in plant biology.

While he was in a class dealing with plant genetics and the future options of increased food production, Norman Borlaug had that moment of divine genius. That is when he applied himself to work. And Norman Borlaug, because of 6,000 experiments in very difficult terrain, created a grain of wheat that literally changed the world.

Norman Borlaug is rightly credited with saving the lives of over 1 billion people, 1 billion people on this Earth because he dedicated his life and persevered to create strains of wheat which would grow in India, Pakistan, Africa, and places that never before could be able to uphold a grain of wheat. He did that in East Asia with rice.

Today we honor and recognize and celebrate the life of one American who did so much for 1 billion people across the world.

□ 1515

OUR FIRST FREEDOM

The SPEAKER pro tempore (Mr. DESANTIS). Under the Speaker's announced policy of January 3, 2013, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, this is an important day right across the street at the U.S. Supreme Court Building. It has been interesting. In the past, most of the time that I am aware of, when there was a matter coming before the Supreme Court, they observed what is called reciprocity, just as if a U.S. Senator wants to come down here and observe—they can't speak on the floor—but they can come to the House floor. In the same way, we have reciprocity with the Senate. We can go down to the Senate and stand in the Chamber and be there in person, as I have done when RAND PAUL was doing what amounted to a filibuster and when TED CRUZ was doing what amounted to a filibuster.

With the Supreme Court, normally, if there are Members of Congress that are going to be coming, they will reserve a bench. There have been a couple of times that the bench was full and other Members of Congress filled those spaces before I got there; but it has

been an observation that, since this body is charged with funding the Supreme Court and providing what they need and determining what they don't really need, it is part of reciprocity that they provide those places to observe what is happening.

I have been rather ambivalent. I can see both sides of the issues of cameras in the courtroom, because as a judge, murder trials, other things of interest, networks would want to come film. I had one case that went for 10 weeks. We have very strict rules. We only allow one camera in the courtroom. It could never be worked on during anything that was going on, and it could never be a distraction at all. But I saw how cameras could work in the courtroom without being any problem at all.

Here in Congress, I have fairly much taken the position that if a camera is going to be in the courtroom, leave it up to the courts. But with the United States Supreme Court, as I have seen this week, there would be no harm in having a camera somewhere in the courtroom where people didn't notice so that Americans could see—since we moved the Supreme Court toward being an oligarchy—we could see what they are doing, whether they are sleeping, whether they are participating, or whether they are asking stupid questions.

I went over, and since I am sworn in as a member of the Supreme Court Bar, I was allowed to be in the overflow room and hear what was going on; so it was kind of difficult to really tell who was addressing what during the case that the Supreme Court was hearing this morning that I heard oral arguments on. This is an extremely critical case, and I couldn't tell which judge asked the questions, but when the Supreme Court is, in effect, expressing concern through their questions that a corporation, a for-profit corporation, could not possibly have firmly held religious beliefs, then it occurred to me, for Heaven's sake, this Justice Department doesn't seem to have a problem indicting corporations. So, if the Justice Department can indict a corporation and say they have an intent to violate the law, well, if that corporation can have intent with regard to violations of the law, it certainly ought to be able to form the intent to have firmly held religious beliefs.

It was shocking as I listened to questions from some of the Supreme Court Justices today, when that is compared with the history of the United States of America and Roger Williams, for example, whose statue has been moved last week, but how he formed Rhode Island because of his firmly held religious beliefs and his beliefs that there should be freedom of religion in America where the government does not interfere in any way.

You compare the beliefs of the Pilgrims who came from Holland to England and then here—they wanted religious freedom so they could serve the God of Abraham, Isaac, and Jacob;

they could follow their Christian beliefs without being persecuted or without having a government say that you don't have any right to practice those beliefs—compared with the Supreme Court Justices, in effect, saying, gee, they could just pay the fine and it would be a lot cheaper than \$475 million in penalties they will have to pay. Actually, one Justice had the nerve to say: I believe that was called a tax and not a penalty.

Paul Clement was doing a great job. My immediate thought was, well, no, the Supreme Court at page 15 of the majority opinion said that clearly the mandate was a penalty. Congress called it a penalty. It clearly was a penalty. It is only assessed if you don't do what the bill requires people to do, so clearly it is a penalty. And since it is a penalty, they said at page 15, then we do have jurisdiction to go forward because, the Supreme Court pointed out, if that mandate were a tax, then under the anti-injunction statute, the Supreme Court would not have jurisdiction to have proceeded when they did and the plaintiffs that brought the case would not have had standing to bring the case. But they said, since this is clearly a penalty and not a tax, then we can go forward, because if it is a tax, then the Anti-Injunction Act kicks in, and we don't have jurisdiction at this time.

But on page 15, the Supreme Court called it a penalty. And they, in that opinion, apparently to the ignorance of at least one of our Supreme Court Justices, the Supreme Court called it a penalty at page 15, because they quoted the Congress calling it a penalty in ObamaCare, and they said, clearly, it is a penalty. We have got jurisdiction, and we will go ahead and determine the rest of the case.

Then you go over about 40 pages, and then they determine, okay, now that we are hearing this because it is a penalty and not a tax, we determine it is a tax and therefore it is constitutional.

We know under the rules of this House that Supreme Court judges would not do anything inappropriate, but, Mr. Speaker, I can tell you that opinion was indecent. It was a travesty. It was hypocritical, that decision was. How you can call it a penalty at page 15 and then, with a straight face, 40 pages later, say now it is a tax so it is a constitutional, and then sit as they were today and have a Justice say, kind of snidely: Well, we didn't call it a penalty. I mean it was called a tax. It depends on where you look in the majority opinion as to whether it is a penalty or a tax, but Congress clearly called it a penalty.

I am very concerned. We had someone who was in a position with the executive branch when ObamaCare was put together and pushed here in Congress, and in her position with the executive branch, at that time, she had to either be incompetent and failed to give the executive branch any advice on its most important bill that they

took up or there was a lie told that no advice was ever given about this bill. Either way, that Justice should not have been allowed to hear this case as a member of the Supreme Court because, clearly—and I think the questions that were apparently asked by her today show—she was an advocate, is an advocate now and most likely was an advocate then in this administration.

So this country is in trouble.

I yield to my dear friend from Minnesota (Mrs. BACHMANN) for any comments she might have.

Mrs. BACHMANN. Well, I want to thank the gentleman from Texas for allowing me to participate in this discussion, because this really is the issue of our day.

People on a political level are talking about ObamaCare and how ObamaCare is destroying our economy. It is hurting job prospects, and it is not allowing us to move into the robust growth we would be in without ObamaCare. But it is even more fundamental; and I think the gentleman from Texas, as a judge and as a lawyer, has been laying out, really, his broken heart over what he observed today at the Supreme Court.

I share that same level of heartbrokenness because this really is the whole game. This is the whole ball of wax. Because if you look at what America was founded upon and why we were founded in the first place, it was so that we could be a free land made up of free people who are allowed to exercise our own moral conscience—and not just in the realm of belief, freedom of belief, but also freedom of speech and freedom of expression. But even one step further, it is the exercise of our religious liberties.

There was a case that the gentleman from Texas would remember. It was during the Vietnam war era. It was called *Tinker v. Des Moines*, and the very famous holding out of that Supreme Court decision was this: students did not have to check their constitutional rights at the schoolhouse door. Today, the Supreme Court is taking up this question: Will the American employer and will the American employee have to check their religious liberties at their church door so they can only exercise their religious faith within the confines of their religious house of worship or maybe even so far as in their home, but certainly, according to the Obama administration, not in the workplace?

Think about it for a moment. The author of the Constitution of the United States, James Madison, and the other Founders specifically wrote the Constitution and, in particular, the First Amendment to the Constitution to guarantee that it wasn't just behind closed doors in our church or behind the confines of our home that we would be entitled to religious liberty of freedom of belief and freedom of expression and walking out our faith, because isn't that what most churches and syn-

agogues and mosques advocate during the time of worship, that we live our faith, that we don't have a dead faith but an alive faith that we practice?

This is really the key, and this is the issue. We are here in the most lively place on the planet for speech—the House of Representatives. Representative GOHMERT is standing in the well. There is no other piece of real estate on this Earth that allows for greater freedom of speech and expression than right here. In fact, we are protected by law. We can't be arrested while we are coming here to cast a vote. We can't be dragged off to a court because of the speech that we enjoy here on this House floor.

Just merely steps from here, if you pass through Statuary Hall and into the rotunda—Representative GOHMERT has given probably more tours of this building than any other Members of Congress, and I know when he gives that tour he points to one of the seminal paintings that hangs in the rotunda. That painting is called the "Embarkation of the Pilgrims," and it shows our ancestors, the Pilgrims, as they bowed on their knees before a holy God, the Bible in front of them on their lap turned to the New Testament. And on the sail of the ship it says, "God with us," hanging in the rotunda just in yonder Hall.

The Pilgrims left their surroundings not because they didn't like England and not because they didn't like Holland. They came to the United States because their religious liberties were being infringed upon. They weren't allowed to believe and act on their belief in such a way where they truly felt free.

□ 1530

So they came to the United States of America. That was in 1620 when the Pilgrims first came, and it wasn't until later in 1776 when the Declaration of Independence was passed, and then later in 1789, I believe, or '87 when the Constitution of the United States was passed, but the author of the Constitution, James Madison, wrote, and I just the week before last saw the First Amendment to the Constitution. It was written in James Madison's hand. I bent over and read in that beautiful calligraphy script, and James Madison scratched out the original words that he was going to put in the First Amendment. It was full toleration of religious expression, meaning we tolerate your belief. Instead, what he wrote in was "free exercise."

So that not only was our government saying that it is nonnegotiable, there is no negotiating away these rights. These were fundamental rights every American enjoyed just because we are Americans—freedom of religious belief and freedom of free exercise, expression of those beliefs.

That is what is on trial today before the Supreme Court. It should have never gotten there because our liberties shouldn't be up for sale. That is

part of the problem. We believe there should be equal treatment under the law for every American—Black, White, whether or not you are male, female, poor, rich—everybody should be treated equally under the law. Is that true under ObamaCare? According to the Becket Fund, they say over 100 million Americans who are politically connected to this administration are exempted or waived from some of the requirements under the Affordable Care Act. But Americans who have religious objections to providing drugs or devices that would take the life of innocent Americans, they are being denied the exercise of their religious liberties.

So just think of that: over 100 million people, whether they belong to a union or maybe they work for a university, but somehow they are politically connected to this President and this administration, they are waived, but the people who aren't politically connected, they have a different kind of justice that they have to come under. That is wrong, and that denies equal treatment under the law.

Mr. GOHMERT. I would say to the gentlelady, I was not aware of the line that was scratched out by James Madison, but obviously if he scratched out "tolerate" and added in "free exercise," it was intended to be more than just tolerant. This was a bedrock principle. I know the gentlelady, I doubt there is anybody else in all of Congress or even the Senate that has a master's in tax law, as the gentlelady from Minnesota does, but I know we have both heard during our professional lives that the power to tax is the power to destroy.

I don't have the exact words, and I haven't seen the transcript or heard any replay since I was at the Supreme Court building this morning, but to hear a Supreme Court Justice of this country say to the litigants' attorney, in essence:

Why don't you just pay the tax, the penalty, and then you can have your religious beliefs?

Staggering.

Mrs. BACHMANN. Could we talk about that?

Mr. GOHMERT. I yield to the gentlelady. I doubt you were aware that in essence that question was asked:

Why don't you just pay that tax?

Mrs. BACHMANN. Let's talk about the reality as an employer and an employee of how egregious this tax is.

The employers that were in front of the Supreme Court today, and there were two employers before the Supreme Court today, they could pay the tax. They could do that, and then enjoy their religious liberty. This is what the tax is: it is over \$36,000 per employee per year. So we are talking about a company that has 16,000 employees. They offer a very generous health care package. The employer wants to provide health insurance for their employees. In fact, they already offer 16 different contraceptives. They just don't believe, because it violates their moral

belief, that they should supply four different contraceptives because it takes the life of a innocent human being. So they fully pay for health insurance, but if this employer decided they didn't want to offer health insurance, then they would pay the government a \$2,000 fine per person. So they can either choose to offer health insurance and pay over \$36,000 a year, which would effectively shut the company down. They would have to go out of business.

Mr. GOHMERT. And apparently it is phenomenal insurance. The employees love it.

Mrs. BACHMANN. Yes, it is very, very high, wonderful insurance that they already offer. Or they offer no insurance and they pay the government a \$2,000 fine, and the employees don't get any health care, by the way. Or they can choose to violate their moral conscience. Or they can just close their doors and go out of business. This is freedom under the Obama administration? This is freedom for the American people?

I think the gentleman would agree that the supreme irony of all of this is that we have a President today who under article II is given executive power, and he has made a decision apparently that he is going also to arrogate to himself the power that is given to Congress under article I, which is to make the laws, because this President is currently making his own law, even as we speak every day. But it is also arrogating to himself the powers of article III of the judicial system when he and our Attorney General said they don't agree that the Defense of Marriage Act is a constitutional law, so they are not going to uphold it, in violation of article II, which says the President must faithfully execute the laws of the land.

So we have a President who, ironically, is taking power that wasn't granted to him, and by this law today he is taking away fundamental guaranteed rights from the American people. The President is giving himself power unconstitutionally, but he is taking away from the American people power that belongs to them.

That to me is a part of gangster government. We talked about gangster government early on when the President issued 3,400 pink slips to automobile dealerships all across America. He shut them down virtually overnight because he said so. Now we have a President who is giving a pink slip to anybody who wants to exercise their religious liberty rights.

We are here to say, Mr. Speaker, to the President of the United States—I hope he is listening—that our First Amendment rights, our Second Amendment rights, all of our rights are non-negotiable because they are guaranteed by the Constitution of the United States. That is why this matters, and that is why the gentleman from Texas is dead-on today to talk about this issue because this is it. If we lose political speech and expression and reli-

gious liberty, it is game over for the American people. It is game over.

Mr. GOHMERT. I would like to ask the gentlelady a question, knowing our American history as well as you do: Can you imagine if King George had sent a decree that said pay a \$2,000 penalty or tax and then you can observe your religious beliefs, what would the gentlelady think would be the response of Patrick Henry, John Adams, James Madison, Thomas Payne, and all of those people? Thomas Payne was not a very religious man, but he was big on rights.

Mrs. BACHMANN. We know exactly what they would say. Patrick Henry said:

Give me liberty or give me death.

They were willing to put their lives, their honor, their sacred fortune on the line to fight for exactly what the Obama administration has been eager to deny to the American people, which is political speech and expression, and also religious liberty. We know that is what they would do.

They would do far more than dump some boxes of tea into Boston Harbor in one of the first tea parties there is. If they thought the Tea Party was strong now, you ain't seen nothing yet, because we are going to see the American people rise up in force. They are unwilling to put duct tape willingly over their mouths. They are unwilling to put duct tape over their moral conscience. They are unwilling to put duct tape over their hearts, to have a heart for God.

People will stand for freedom. It is written in our DNA as Americans. It is what we do for a living. We get up in the morning and we fight for liberty. It is who we are. The Obama administration can pass an unconstitutional bill, which ObamaCare is, but the American people won't stand for it. That is why we are here today in this Chamber, where we still retain free speech, to hopefully continue to give free speech and religious liberty to every American so they don't have to check their religious liberty at the doors of their church or their synagogue or their home.

Mr. GOHMERT. If it came down to this, the Federal Government, of course using the IRS under ObamaCare to enforce the law, the Federal Government comes and says, the gentlelady from Minnesota must either pay a \$2,000 fine, penalty, tax, whatever they may wish to call it today, or you cannot observe your religious beliefs, what would the gentlelady's reaction be?

Mrs. BACHMANN. Fundamentally what they are doing in this legislation, and apparently the question that the Supreme Court Justice asked today, that is what the Justice was saying. That is that you pay a fine of over \$36,000 a year per employee, and then that is the price for exercising your religious liberty. So you can have religious liberty, but it is at a very steep price. Since when did it become for sale? That is the issue. That is what is

unconstitutional about this bill. No one has to pay for speech. Are we going to start charging the printing presses? What about local TV? What about bloggers and what about all of the mainstream media, usually called "Team Obama." What if they have to start paying for the privilege of being able to publish? Then where would they be in their defense of the administration?

Mr. GOHMERT. Well, it is going to be interesting, and this is a bit of a tangent, but because of what the gentlelady has pointed out, this President has indicated he is going to turn over control of the Internet away from where it is now to an international confab that has been champing at the bit to have a chance to control the Internet. They have been hoping desperately that some day they would have something that everybody wanted to use so they could begin taxing it, charging fees to use the Internet. And once they could do that, then the international entity, like the U.N., wouldn't have to go begging to the different countries that make up its membership. They could require taxes and penalties to be paid in order to publish on the Internet, in order to send an email on the Internet. You could rack up taxes, and then they will be a permanent entity from now on once we give control of the Internet over to an international group that will have authority to tax those who want to publish online.

So we are talking about the disaster that ObamaCare is, but that is where it is going.

Mrs. BACHMANN. The gentleman is exactly right because if you have an international body, whether it is the U.N. or some other international body—we know that the largest bloc in the U.N. is the OIC, the Organization of Islamic Cooperation. And the number one agenda item of the Organization of Islamic Cooperation is to criminalize speech, any speech that they consider as an insult to their prophet.

So we would see across the world again a silencing of freedom of speech and expression dictated in all likelihood by this large bloc at the U.N., which takes us back to religious liberty here in the United States.

As the gentleman asked in his original question, what about this idea of the government being able to tax us for religious speech? I believe that if we lose this case, this will set the precedent that the government will then be able to dictate and decide any practice that touches our religious belief.

So, for instance, if you are in a doctor's office or if you are in a counselor's office or a therapist's office, the government could conceivably then dictate to the therapist what the therapist can say or not say in that office; or likewise, a doctor, what they can say or not say.

□ 1545

Let's remember, again, what this is. This isn't a company imposing its be-

liefs on employees because employees are free to buy whatever they want to buy in health care.

This is the government. This is government censorship. This is our government forcing government's politically correct beliefs and religious ideas down the throats of every American—every American company, every American employer, every American employee.

Do we see where this is leading? It is here right now. It is government-enforced coerced speech. I want to say that again. This is government-enforced coerced speech—speech and religious practice.

Now, the Federal Government is going to have the power to force you and me and everyone listening to us today, the government gets to choose, the government gets to decide what our speech is, what our religious expression is. That is not America.

You see, that is it. That is the entire game right there. That is why I say it is game over if we lose on this issue. That is how central and important the issue is that the gentleman from Texas is bringing up today.

Mr. GOHMERT. I just can't avoid thinking in these terms the conclusion when, ultimately, you follow the logic of at least one of the Supreme Court justices.

In essence, what is being implied by the question is if you want to avoid paying to kill a child in the womb, then just pay the tax, and we will allow you to observe your conscience, your firmly held religious beliefs.

It is staggering that anybody, any justice on the United States Supreme Court, would have rationalized to the point that—could ever even dream of saying: just pay the fine penalty tax, and then you don't have to pay for killing children in utero.

Mrs. BACHMANN. The gentleman is absolutely correct because in that statement lies the premise. The premise that the justice is embracing is that you don't have a guaranteed right to religious expression and to religious thought; you don't have that right. That is our right. We will sell it. The only question at this point is how much and can you afford it.

Now, for people who are poor people, will the government be subsidizing them so that they can buy their indulgence from the government?

Is that what it will be? We have to buy indulgences from the government now?

Mr. GOHMERT. It is protection.

Mrs. BACHMANN. Protection money.

Mr. GOHMERT. From the government.

Mrs. BACHMANN. That is why I call it a gangster government. It is a gangster government when you have to buy protection from your own government. In this instance, it is over \$36,000 per year, per employee.

In fact, the fine is in excess of what the wage is for some of the employees that are being provided full generous health insurance.

Mr. GOHMERT. The gentlelady brought up something that I don't recall being mentioned during the entire argument. Hobby Lobby, because of their Christian beliefs, not only wants to provide compensation, they want to provide an excellent health care policy.

What I don't believe was brought up in the entire oral argument was that the employees can buy supplemental insurance to cover those four drugs that will kill children in utero, and nothing is denying them that opportunity.

Mrs. BACHMANN. And can I tell you at what price?

Mr. GOHMERT. Certainly.

Mrs. BACHMANN. This is how inexpensive it is. This doesn't deny any employee to go out and purchase a drug that would kill their child in the womb.

You can purchase it at one retailer for \$4 a month and another retailer—all of these retailers are widely available across the United States—for \$9 a month, so this is well within the grasp of any employee.

The one employer from Oklahoma that you mentioned pays a starting wage of over \$14 an hour. There is a lot of Americans listening right now who would love to have a job at \$14 an hour—in fact, I think it is \$14.61 per hour, I think that is their starting wage—plus very generous health insurance benefits.

So why in the world would the Obama administration deny to 16,000 employees scattered across the United States potentially their job, their livelihood? It is either you agree with our administration's view of religion and morality or you forfeit your company.

This is a pretty big deal. This is about as big as it gets. This to me shows a stunning arrogance of power by the Obama administration, that they would force people to give up and yield their religious liberty and freedom of expression rights or pay for that right.

Mr. GOHMERT. One of the justices—and, again, since we don't have cameras in the courtroom yet, I will be fighting for that in the future, I could only listen to the audio—but one of the justices, again, tried to belittle Paul Clement's comment that they have a choice.

The gentlelady has pointed out accurately that you can pay \$2,000 or \$36,500; but he was indicating that, when you add up, with all the employees they have, the total cost, they either pay \$475 million, or they can drop the insurance, leave the employees in a real dilemma to have to go buy ObamaCare insurance that, other than those four contraceptives that bring about abortion, they provide them far better insurance than what ObamaCare requires.

So when he said it is either \$475 million or \$26 million, she was insisting that you could just pay the \$2,000 fine and was virtually in unbelief that it actually amounted to \$26 million when

you add up all the people they would have to pay for.

So that was his position before the Supreme Court: to follow our religious beliefs, we either pay \$475 million or we pay \$26 million.

Mrs. BACHMANN. In fines, in fines to the government, and nobody gives anything. In fact, you give up the health insurance you have today. That is why people are so upset, and rightly so, across the country because more people have lost health insurance, we are told, than have gained health insurance under ObamaCare.

Again, all across my district—I am sure you have the same stories, it breaks your heart—people whose deductibles quadrupled, people whose premiums quadrupled if they still have insurance. This is real.

Then you have got the spectre, as the Becket Fund said, of over 100 million Americans who are politically well connected enough to this administration under what I call gangster government that they were able to be waived out of the ObamaCare requirements.

Does that mean that they get to exercise their religious liberties, but if you are a business that has, what, Christian-held beliefs, then you are going to lose those beliefs?

This is insanity. We have to have freedom in this country, and we have to have equal application of justice under the law. That is who we are. It is a good thing. It is what builds us up. That is worth fighting for.

Mr. GOHMERT. That is who we have been. The question now before the Supreme Court is: Is that who we will continue to be?

We know that at least one justice of the Supreme Court seems to think that it is okay for the government to tax you \$2,000. Just pay the tax, and then you can observe your religious beliefs, even though it keeps you from providing the great health care that you have been providing.

I will tell you that this is a seminal point in our history. ObamaCare, that decision broke my heart because I thought so much of Chief Justice John Roberts. Then when you read the decision, the decision is so poorly written, so pitifully reasoned, so hypocritical within the decision itself.

Yes, it is a penalty, so we have got jurisdiction, and now that we have got jurisdiction, it is a tax, so it is constitutional. I mean, it is totally at odds with itself.

Now, we are to this place. Is a majority of the Supreme Court going to say: Pilgrims, Roger Williams, all of you that brought us to the place where the freest, most successful country in the history of the world, those freedoms that you saw, that you prayed for, they are going away because now, since the government has the power to tax, it will have the power to destroy your religions?

As the gentlelady points out, why stop with \$2,000? Once the Supreme Court says this government has the

power to tax you to observe your religious beliefs, why not \$10,000, why not \$20,000, why not \$50,000?

Mrs. BACHMANN. Well, remember that the tax to express your religious beliefs is \$36,500 per employee. The tax is \$2,000 per employee if you decide you are not going to purchase health insurance, so it is extremely expensive.

I think the gentleman is raising an excellent point because to where do the people of this country repair? If we have a President who many believe is no longer following the Constitution of the United States under article II with the limitations of power or if we look at the Supreme Court and the Supreme Court justices themselves are not rendering opinions that are within the Constitution of the United States, what do the people do?

The Constitution provides for impeachment for justices. There is impeachment provided for the President of the United States. That is an option, but those are options of last resort.

I think what we are trying to do is appeal to the justices, to think of the people, think of the oath they took to the Constitution. Don't consider that, every time you meet in the Supreme Court, that you are in a new open constitutional convention.

It isn't a constitutional convention where the justices have a free pen and a phone, so to speak, and can rewrite the Constitution.

We are appealing to the justices to limit themselves under the Constitution and observe that the First Amendment has been ironclad since James Madison wrote it.

We are here on this floor today saying we stand with James Madison, we stand with the people of this country, and we are not, for one moment, going to allow anyone to attack any American's religious liberties and freedoms.

Mr. GOHMERT. Well, chains can be figuratively applied—figuratively applied when someone taxes because a tax hung around the neck is a burden. It is a chain. It is an albatross. It can be devastating, as some people have found out.

□ 1600

Mr. GOHMERT. Going back to this morning, as I mentioned, I am a member admitted to practice before the Supreme Court. It is a great honor, back when I was a real lawyer. There is seating in front of the bar for the members of the Supreme Court Bar, so those were full. So there is an overflow room where we listened to the audio but obviously don't get to see what is going on.

I was just listening to the argument, the oral argument audibly, without the benefit of being able to see which Justice asked which question. I don't know that I will be able to forget the premise of an educated Supreme Court Justice, almost rhetorically, asking: Why don't you just pay the \$2,000? She didn't say this, but pay the \$2,000 so you can practice your firmly held reli-

gious beliefs. That is what her question amounted to.

Mrs. BACHMANN. Did she say the \$2,000 or \$36,500?

Mr. GOHMERT. She pointed out the \$2,000.

Mrs. BACHMANN. What she was saying is: Don't provide health insurance for your employees. Just push your employees out in the cold. They can sit on the curb. They won't have employer-sponsored insurance—which, by the way, has zero tax consequence to the employee. They have no tax consequences.

Under ObamaCare, every American is forced to buy a product whether they want it or not, even if they can't necessarily afford it. So then people now under ObamaCare have to go buy a product that the government dictates to them they have to buy at a price that the government dictates that they have to pay. So either they get health insurance with no tax consequence or they have to buy their health insurance with after-tax income, money that they have already paid taxes on. Now they are going to get double-hurt under ObamaCare.

So, what the President wins, the American people lose. That is our choice. The President wins; the American people lose—financially, freedom, most importantly in this case, religious liberty, and that is not acceptable under our constitutional guarantee of liberty.

I don't care who it is, because the Magna Carta taught King John at Runnymede that no man is above the law, especially the King, because that is who you have to worry about. It is no different in the United States of America. No man is to be above the law, including the President of the United States. He can't just change a law with the stroke of a pen or with a telephone call. He's not allowed to under our system of justice, but he also is not within his power to deny anyone their religious liberty rights.

Mr. GOHMERT. The gentlewoman makes a great point. But unfortunately or fortunately, depending on your point of view, the Founders created so much in the way of checks and balances to prevent the government from abusing the power, as the gentlewoman points out.

If the Congress will not protect its own powers, as we have not, the Senate has been very protective of the President's executive orders that usurped our power. They have gladly handed over power.

I was shocked to hear in this very room, as the President spoke from this podium, a standing ovation from most of the people on this side of the aisle when the President, in effect, said: If you don't change the law, I will. And they stand and applaud a President who says, in effect: I am going to usurp even more of the legislative power given to Congress under article 1 than I have already taken.

It is staggering to hear that applauded. It is also staggering to me to

see the Senate has a body, in effect, protecting the President's usurpation of our power. That is one check, one balance.

Mrs. BACHMANN. I was here in the Chamber with the gentleman. I saw and observed exactly what you said, that our colleagues across the aisle stood up and applauded. That is a constitutional crisis. As we are having this discussion today, we are in the midst of a constitutional crisis with a President who is aggregating to himself powers that are not constitutionally his. He is rendering also, taking away and denying constitutional liberties to the American people in terms of freedom of speech, expression, and religious liberty.

It is interesting, too, with all due respect to our colleagues across the aisle, they are applauding becoming dinosaurs when the President of the United States decides that he will also be Congress and he will also write the laws.

Thank you very much. I don't need your help. I am going to do what I want to do.

Why in the world would any Member of this body who has an election certificate applaud that now they get to become a dinosaur? Now they are no longer relevant. We might as well dispense with the cost of elections altogether and go home and revert to what King George III wanted in the first place, which is a total and complete and absolute government with one person calling all the shots. That isn't our form of government.

Mr. GOHMERT. Well, I was shocked that one of the Justices asked the question, basically: How can or does a corporation exercise religious freedom?

You know, this Justice knows that the Justice Department has indicted corporations charging criminal intent, intent to violate the law, and yet she cannot figure out how a corporation could have intent to violate the law but could not have intent to have religiously held beliefs. That was a bit staggering to me to hear that question: How can a corporation exercise religious beliefs?

Mrs. BACHMANN. She also fails to understand that the Federal Government again is practicing censorship and that the Federal Government is the one forcing its vision of morality and religious belief on every American. Again, that is government-enforced coercive speech and morality and religious expression. That is also contained in that remarkable premise of the Supreme Court Justice.

Mr. GOHMERT. Well, it is remarkable. Again, the Justice, if I heard her correctly, just advocated, well, just drop the insurance. Drop the insurance. This company is providing great insurance, as the gentlewoman pointed out, and her point was not made because time is so limited. I know Paul Clement knows, but that is such a huge benefit to the employee.

There was discussion by the Supreme Court about benefits to the employee.

Well, gee, you can raise their salaries and make up the difference, when actually you may have to raise that salary an extra third in order to cover the cost that is pretax to the employee. So the employee is getting hammered when they just, as this Justice appeared to callously advocate, just drop the insurance, pay the \$2,000 tax penalty. Congress said "penalty"; they said "penalty" and "tax," take your pick. Either way, they were advocating harming the employee.

Mrs. BACHMANN. Sixteen thousand employees of one company.

Mr. GOHMERT. Harming 16,000 employees as a way to deal with an unconstitutional act.

Mrs. BACHMANN. By the way, isn't it true, if the gentleman recalls, that while this Supreme Court Justice was just advocating, in a flippant way, drop health insurance coverage for over 16,000 employees, doesn't that same Supreme Court Justice enjoy Federal employee health insurance? And isn't that same Supreme Court Justice protected from not going into ObamaCare?

It seems to me that our President is not in ObamaCare nor are the Supreme Court Justices in ObamaCare. It seems to me that there is a shield of protection for them. It is good enough for the American people to suffer under ObamaCare, but I don't believe our President or the Supreme Court Justices have to be in ObamaCare.

Mr. GOHMERT. That is my recollection. And some of us were pushing for and asking our leadership why don't we do an amendment that will make sure the Supreme Court has to be under ObamaCare. I really think that would have been the more appropriate thing to do. In fact, I still think it is the appropriate thing to do.

It is hard to know, since Congress was not given a chance to see what the Supreme Court was doing and who was asking what questions, but it sure seems like since they feel so strongly about ObamaCare, that they really should have the chance to experience it firsthand and just find out how wonderful it is.

Mrs. BACHMANN. I would like to share my experience with it, because as Members of Congress we were forced to go into ObamaCare. The only exchange we were allowed to go in was the one here in Washington, D.C. It is called a small business link. The only small business is Congress, the government. We are the ones put in.

Just for the record, my own individual premium increased for the same number of people in our family that we would have to cover. Our premium was scheduled to increase times four. So we would have had to increase our premium by four times, and our deductible was quadrupled. That also went up four times. So there was no Affordable Care Act in our family. It is an extremely unaffordable health insurance act.

I would be curious to know if the Supreme Court Justices would voluntarily put themselves in ObamaCare so

they, too, could know the pleasure of what it is to pay four times more for the same health insurance than my family paid last year.

Mr. GOHMERT. One of the Justices appeared to point out, apparently, that an agency is the one that established so many of these things. So the question arises, since an agency can say your insurance policy must provide this medicine, this medicine, not this medicine, this medicine, have we given unelected bureaucrats the power to determine what your religious beliefs firmly held include? Because under ObamaCare, an agency says: Your religious rights must yield to our unelected bureaucratic decision that this medication must be included; therefore, your First Amendment rights yield to our unelected bureaucratic agency rights to decide what your religious rights have to include and what they don't.

Mrs. BACHMANN. That is exactly right. That is government-enforced coercion on religious belief. It varies at caprice and whim. That is one thing under the rule of law that has been a pillar of American exceptionalism, the fact that under the rule of law there is certainty for the American people. If you look at the Declaration of Independence and the Constitution, you knew with certainty when you woke up tomorrow morning that your religious liberties were intact. Now, apparently, today, the gentleman was in the Chamber and heard that, according to at least one Supreme Court Justice, in her opinion, they aren't so certain anymore.

It is not only the election of the Court, but at the election of the unnamed bureaucrat who decides today we will have these killer drugs that we mandate. Tomorrow what drugs will they take off the list? Will I not get lifesaving drugs that I would need to get? Will I not get lifesaving treatments that I thought I was going get? Will the bureaucrats decide that only politically connected best friends of the administration get certain surgical procedures or get to see the best doctors? We don't know, because apparently the Supreme Court has decided that the bureaucracy must be fully imbued with all power.

That means again that the President and his administration wins their religious liberty and the right to force their religious views down the throats of the American people. While the President wins, the American people lose, and they lose under the protections of the Constitution. It is unlike anything we have ever seen before in the history of the United States of America. It is a seminal day in Washington, D.C., and it is why the American people better wake up really quickly and watch what is happening, because we are living in a country we no longer recognize. It is being rewritten by unelected bureaucrats. It is being rewritten by Supreme Court Justices who apparently think that the

amendments in the Constitution are optional rather than mandatory.

Mr. GOHMERT. Well, God bless Justices Antonin Scalia, Clarence Thomas. I didn't hear Justice Thomas ask questions. He normally doesn't. It is extraordinary to spend time with Justice Thomas. You find out rather quickly just how really brilliant he is.

□ 1615

He didn't need affirmative action to get him into Yale Law School—or Harvard, as he was accepted to, but at the time thought was too conservative.

Justice Scalia took on the Government's position. The Government's attorney stood up and basically said if a corporation is for profit, no matter how religiously convicted the holders of that are, they have no right to religious beliefs. Scalia took him on and said there has never been a case.

With that, I yield back the balance of my time.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1459, ENSURING PUBLIC INVOLVEMENT IN THE CREATION OF NATIONAL MONUMENTS ACT

Mr. BISHOP of Utah (during the Special Order of Mr. GOHMERT), from the Committee on Rules, submitted a privileged report (Rept. No. 113-385) on the resolution (H. Res. 524) providing for consideration of the bill (H.R. 1459) to ensure that the National Environmental Policy Act of 1969 applies to the declaration of national monuments, and for other purposes, and providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

THE PRICE IS WRONG

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentlewoman from California (Ms. SPEIER) is recognized for 60 minutes as the designee of the minority leader.

Ms. SPEIER. Mr. Speaker, I thank you for the opportunity to address the House tonight on what is called the Defense Logistics Agency, something probably not many people have heard about. The DLA is like a big hardware store in the Department of Defense.

About 30 years ago, we heard horrific stories about wasteful spending of taxpayers' dollars being spent: \$436 on a hammer, \$7,600 on coffee makers, and \$640 for toilet seats. We all thought, Well, it has been taken care of. Well, not so fast.

I am showing you right now what is a plumbing elbow. At the local hardware store, this elbow sells for \$1.41. But the taxpayers of this country spent \$80 to a defense contractor that charged us that much money for this elbow.

How about a box of washers? At the local hardware store, we as individuals would pay something like \$1.22 for this box of washers. What did the taxpayers of this country pay a defense con-

tractor for a box of washers? How about \$196.50?

So that issue that was around some 30 years ago is still with us today. It is time for the House of Representatives and for the Armed Services Committee to hold a hearing on why it is that the Defense Logistics Agency, our hardware store that is responsible for putting together good pricing on spare parts, is being overturned and overlooked by defense contractors and persons within the Department of Defense who would rather go outside and pay triple, quadruple, 100 percent more, or 200 percent more.

We are going to play a game tonight on C-SPAN called "The Price Is Wrong," and see what we are talking about here. And if for 1 minute you think that we are talking about small potatoes, we are not talking about small potatoes. We are talking about a lot of money.

The Defense Department has so many excess spare parts, they have disposed of—thrown away—\$15 billion in excess parts and materials in just the last 3 years. There is about \$96 billion worth of spare parts inventory right now in the Defense hardware agency coffers.

So why would we ever go outside the internal hardware store to buy parts?

Well, some argue that it is faster or it is cheaper to go outside. Audits have revealed instances when the military had enough of certain parts that they would last 100 years—and they are still going outside of the Defense Logistics Agency. That is the equivalent of having spare parts that include horseshoes for a cavalry. If we were looking back in time today, that is 100 years of spare parts. The likelihood of these parts being used completely over 100 years is not so likely.

You might say, Well, maybe it is difficult for the Defense Department to figure out where their spare parts are and how much they are and how much they cost. Well, that is not correct. In fact, the Department of Defense has the resources and the databases to check the accuracy of these prices. The auditor found these overcharges by using the Department of Defense's own database. So this is no more than a click on a mouse to find out, one, whether the part is in stock and, two, how much it costs.

Well, let's start this game. The first game we are going to play is called "Flip Flop." It is a game where the numbers are scrambled.

I am going to start with the gate assembly in this picture here. This is what it looks like. It is a little bit larger than a quarter. Ramp gate roller assembly. It is used for the Chinook helicopters.

You can buy this at a local hardware store for about \$3.50, but because this is the military and we want the very best quality, the DLA sells this part for \$7.71.

So the question is, What did the Army pay for this gate assembly? Did they pay \$7.71 cents? No, they didn't pay that.

Did they pay \$77.01?

No, they didn't pay that either.

Did they pay \$771 for this little gate assembly part?

No.

For this ramp gate roller assembly they paid \$1,678.61.

That is obscene, and that shouldn't be happening in the Department of Defense or anywhere in the Federal Government. The taxpayers should not be ripped off in that manner.

In "The Price Is Wrong," taxpayers always lose because the Defense Department consistently pays too much, yet defense contractors consistently win.

So we are going to play the next game, which is "That's Too Much." See what happens again when the military thinks that they can get something faster and cheaper by not going to the Defense Logistics Agency, our in-house hardware store.

This is a bearing sleeve. Let's see what we paid for this. Did we pay \$6? That is what it would cost at our local defense hardware store. No, we didn't pay \$6.

Was \$86 too much to spend for that bearing sleeve?

No, \$86 wasn't too much.

How about \$286? Was that too much to pay?

No, that wasn't too much to pay either.

We paid \$2,286 for a bearing sleeve that cost \$6 at the Defense Department's Defense Logistics Agency.

So that is what we are dealing with here—a rip-off of the taxpayers.

The truth of the matter is that the Defense Department didn't just buy one of these bearing sleeves that we just bought one of here this evening. They bought 573 of these bearing sleeves—not for \$6, not for \$86, but for \$2,286. And let me do the math for you. That is \$1.3 million in overpayments for just these 573 bearing sleeves.

Next, we are going to talk about a spur gear for the Chinook helicopter. This is what it looks like. It is this tiny little thing smaller than a quarter. This is what is used in Chinook helicopters. We have lots of them in the DLA. But, again, they didn't want to go to the DLA, our hardware store, to actually purchase this.

They would have paid \$12.51 if they had gone to the hardware store within the Department. No, they didn't want to do that.

So was \$125 too much to pay for that spur gear?

No, that wasn't too much.

In fact, they were willing to pay \$644.75 for this little rubberized spur gear. It was 34 times the fair and reasonable price.

So, again, why are we doing something like this? Why are we allowing the taxpayer dollars to be flushed down the toilet by not paying what is the normal price for these spare parts?

The last part is a flush door ring. Look at this. This is a pen next to it so